

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-36 are presently pending in this application, Claims 18, 20, 21, 23-27, 30 and 35 having been amended to clarify the subject matter recited therein by the present amendment. These amendments are not believed to raise new issues warranting further search and/or consideration.

In the outstanding Office Action, Claims 21, 23, 25, 30, 31 and 34-36 were rejected under 35 U.S.C. §112, second paragraph, for being indefinite. However, Claims 1-20, 22, 24, 26-29, 32 and 33 were indicated as allowed.

First, Applicants acknowledge with appreciation the indication that Claims 1-20, 22, 24, 26-29, 32 and 33 have been allowed.

Regarding the outstanding rejection under 35 U.S.C. §112, second paragraph, the Office Action states that “claim 1 recites “wherein a transparent intermediate layer comprising at least one of a metal oxide other than a nickel oxide,” that “claim 34 recites “said intermediate layer contains no nickel oxide,” and that “[t]he claims contradict each other.” Similarly, regarding Claim 25, the Office Action states that “the phrases “a transparent intermediate layer comprising at least one of a metal oxide other than a nickel oxide” and “said intermediate layer comprises nickel oxide” render the claim indefinite, because “[t]he limitations contradict each other.”

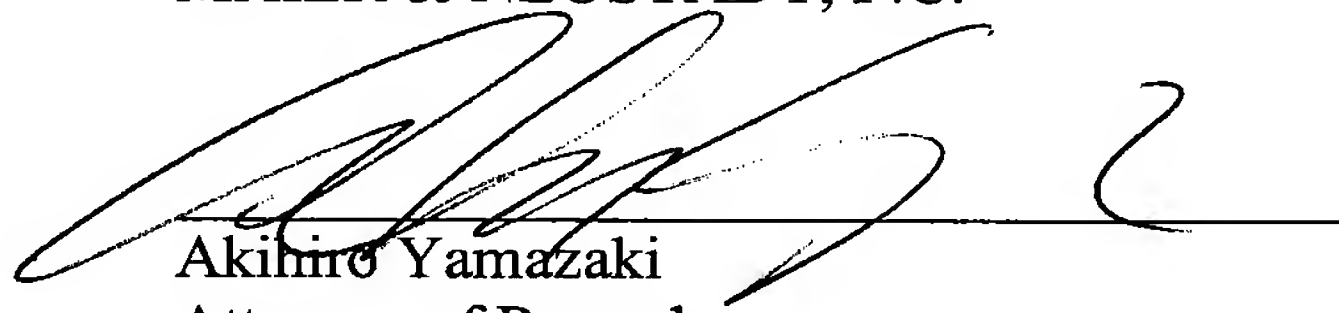
On the contrary, Claims 1 and 25 clearly recite “a transparent intermediate layer comprising at least one of a metal oxide other than a nickel oxide and a metal as a main component” and “a transparent intermediate layer comprising at least one of a metal oxide other than a nickel oxide and a metal as a main component,” respectively. Thus, according to the language of Claims 1 and 25, the “transparent intermediate layer” contains, among

other things, the “main component” which is a metal oxide other than a nickel oxide, a metal or a combination thereof. Their dependent claims, Claims 21, 23, 30, 31 and 34-36, recite that “*said intermediate layer* comprises nickel oxide in an amount of less than 0.02 on the weight base *relative to the main component* in said intermediate layer,” “*said intermediate layer* comprises nickel oxide in an amount of less than 0.01 on the weight base *relative to the main component* in said intermediate layer,” or “*said intermediate layer* contains no nickel oxide.” Therefore, Claims 21, 23, 25 and 34-36 do not contradict in a manner stated in the Office Action. Accordingly, Applicants respectfully request that the outstanding rejection under 35 U.S.C. §112, second paragraph, be withdrawn and that Claims 21, 23, 25 and 34-36 be allowed along with Claims 1-20, 22, 24, 26-29, 32 and 33.

In light of the prior indication of allowable subject matter and in view of the discussions presented above, no further issues are believed to be outstanding, and the present application is believed to be in condition for allowance. If, however, the Examiner disagrees with any of the amendments presented above, the Examiner is invited to telephone the undersigned who will be happy to work in a joint effort to derive a mutually agreeable solution and expedite the prosecution of this application. Applicants respectfully request an early and favorable action.

Respectfully submitted,

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